

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

JOHN E. JOHNSON
ADC #121088

PETITIONER

DOE, Sheriff,
Pulaski County, Arkansas

RESPONDENT

Case No. 4:21-cv-00018-LPR-BD

ORDER

The Court has received a Recommended Disposition from Magistrate Judge Beth Deere.¹

On March 25, 2021, Mr. Johnson filed objections to the Recommendation. (Doc. 8). After careful consideration of the Recommendation and the objections, as well as a *de novo* review of the entire record, this Court adopts the Recommendation in its entirety.

John E. Johnson's Petition for Writ of Habeas Corpus (Docs. 1, 3) is DISMISSED WITHOUT PREJUDICE. A certificate of appealability is DENIED.

IT IS SO ORDERED this 19th day of April 2021.



LEE P. RUDOFSKY
UNITED STATES DISTRICT COURT

¹ On February 24, 2021, Judge Deere recommended that this case be dismissed because Mr. Johnson did not pay the filing fee or file an IFP Motion. (Doc. 4). Before making that recommendation, Judge Deere filed (on January 12, 2021) an Order instructing Mr. Johnson to either (1) "file a request to proceed in forma pauperis, along with a certificate that complies with the requirements of 28 U.S.C. § 1915(a)(2)," or (2) "pay the \$5.00 filing fee." (Doc. 2). Mr. Johnson was given thirty (30) days to comply with the January 12, 2021 Order and was warned that failure to comply with the Order would result in dismissal under Local Rule 5.5(c)(2). (*Id.*). Mr. Johnson did not comply with Judge Deere's Order. Twelve (12) days after the February 24, 2021 Recommendation for dismissal was filed by Judge Deere, Mr. Johnson filed a "Motion for In Forma Pauperis." (Doc. 5). Even ignoring its lateness, Mr. Johnson's filing does not comply with the requirements of 28 U.S.C. § 1915(a)(1) or 1915(a)(2).